

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE	
Case <b>25-CA-284259</b>	Date Filed <b>10/8/2021</b>

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Electric Last Mile Solutions Inc.	b. Tel. No. 833-646-3567
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 12900 McKinley Highway Mishawaka, Indiana 46545	e. Employer Representative James Taylor
	g. e-mail
	h. Number of workers employed approximately 20
i. Type of Establishment (factory, mine, wholesaler, etc.) Factory	j. Identify principal product or service Electric Vans
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)3 and 8(a)5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) The Employer ELMS is both a "perfectly clear" and a Burns successor to SF Motors, a UAW signatory employer. ELMS committed to assume SF Motors's collective bargaining agreement with the UAW which includes the obligation to fill open positions as they occur with furloughed workers from the seniority list maintained by its predecessors. The Employer ELMS has violated the Act by 1) refusing to recognize and bargain with the UAW; 2) unilaterally imposing its own terms and conditions after assuming SF's obligations; 3) refusing to fill positions that have recently become open with furloughed UAW members; and 4) hiring new employees off the street in violation of its commitment to assume the CBA and in derogation of the Section 7 and contractual rights of furloughed UAW members. <b>SECTION 10(j) RELIEF REQUESTED</b>	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) UAW Local 5	
4a. Address (Street and number, city, state, and ZIP code) 1426 S. Main Street, South Bend, IN 46613	4b. Tel. No. 574-289-5551
	4c. Cell No.
	4d. Fax No. 574-289-1568
	4e. e-mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Union of United Automobile, Aerospace, and Agricultural Implement Workers of America	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge) Jeffrey Macey, Attorney (Print/type name and title or office, if any) 429 N Pennsylvania Street, Ste 204, Indianapolis, IN Address 46204 Date 10/9/2021	
Tel. No. 317-637-2345	
Office, if any, Cell No.	
Fax No. 317-637-2369	
e-mail jmacey@maceylaw.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.